

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Thursday, March 11, 2021

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Chaney, Vice Chairman Hartgen, Representatives Kerby, Amador, Ehardt, Scott, Marshall, Troy, Young, Nate, Cannon, Erickson, Skaug (Andrew), Gannon, McCrostie, Ruchti, Nash

**ABSENT/
EXCUSED:** Representative(s) Ehardt, Erickson, Ruchti

GUESTS: Kelli Brassfield, IAC; Darrell Bolz, PDC; Brad Hunt, PDC

Chairman Chaney called the meeting to order at 1:32 p.m.

Chairman Chaney turned the gavel over to **Vice Chairman Hartgen**.

DOCKET NO. **Kathleen Elliott** Executive Director, Public Defense Council (PDC), presented
61-0101-2001 Docket Nos. **61-0101-2001, 61-0102-2001, 61-0103-2001, 61-0104-2001,**
61-0102-2001 **61-0106-2001, 61-0107-2001, 61-0108-2001, 61-0101-2002, 61-0102-2002,**
61-0103-2001 **61-0103-2002, and 61-0104-2002.** After reading through the negotiated changes,
61-0104-2001 she requested the repeal of the current rules and the adoption of the pending rules,
61-0106-2001 with the exception of the negotiated rejections.
61-0107-2001
61-0108-2001
61-0101-2002
61-0102-2002
61-0103-2002
61-0104-2002:

MOTION: **Rep. McCrostie** made a motion to approve Docket No. **61-0101-2002**, with the exception of Subsection 010.22.

Rep. Cannon declared Rule 80 stating a possible conflict of interest.

**VOTE ON
MOTION:** **Chairman Hartgen** called for a vote on the motion to approve Docket No. **61-0101-2002**, with the exception of Subsection 010.22. **Motion carried by voice vote.**

MOTION: **Rep. McCrostie** made a motion to approve Docket No. **61-0102-2002**, with the exception of Subsections 020.01.a, 030.02.a, 030.02.b, 030.05, 040.02, 050.02.a.ii, 060.03, 060.04.a, 070.01, 070.02.a.iii, 070.03, 080.03.a, 080.03.c, and 090.01. **Motion carried by voice vote.**

MOTION: **Rep. Chaney** made a motion to approve Docket Nos. **61-0103-2002, 61-0104-2002, 61-0101-2001, 61-0102-2001, 61-0103-2001, 61-0104-2001, 61-0106-2001, 61-0107-2001, 61-0108-2001.** **Motion carried by voice vote.**

Vice Chairman Hartgen turned the gavel over to **Chairman Chaney**.

S 1088aa: **Rep. Linda Hartgen**, District 24, Chairman, Landlord/Tenant Subcommittee, presented the subcommittee's report and recommendation to send **S 1088aa** to the floor with a **DO PASS** recommendation.

MOTION: **Rep. Hartgen** made a motion to accept the Landlord/Tenant Subcommittee's report and recommendation to send **S 1088aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.**

- S 1089aa:** **Rep. Colin Nash**, District 16, presented **S 1089aa** which updates the definition of rape by eliminating exceptions to the criminal definition of rape based on the relationship of the parties. The definition of rape is clarified to ensure individuals legally married to persons aged sixteen and seventeen cannot be charged with statutory rape. These changes address outdated and unused areas of statute.
- Sen. Melissa Wintrow**, District 19, continued the presentation of **S 1089aa** and described the legislation's origin.
- MOTION:** **Rep. Troy** made a motion to send **S 1089aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.**
- Chairman Chaney** turned the gavel over to **Vice Chairman Hartgen**.
- SJM 102:** **Rep. Greg Chaney**, District 10, presented **SJM 102** to address the issue of "court packing" and memorialize the importance of the nine U.S. Supreme Court judges.
- Sen. Steve Vick**, District 2, further presented **SJM 102**. He said the legislation urges the U.S. Congress to remember the 152 year history of nine justices seated on the U.S. Supreme Court. This number has been tested over time, is set to promote the rule of law, and prevents political manipulations.
- MOTION:** **Rep. Amador** made a motion to send **SJM 102** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. McCrostie** requested he be recorded as voting **Nay**.
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 2:43 p.m.

Representative Hartgen
Chair

Andrea Blades
Secretary